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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,487	04/19/2004	Kojiro Yamashita	ORIO/0005	3284

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EXAMINER

HAWKINS, CHERYL N

ART UNIT PAPER NUMBER

1734

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/827,487	YAMASHITA, KOJIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cheryl N Hawkins	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/19/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/19/04; 11/04</u>                                                        | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-3 and 6 are rejected under 35 U.S.C. 102(a) as being anticipated by Kin et al. (JP 2003-136896). Kin et al. disclose a film transfer device comprising a plurality of film transfer sets (Figure 5, twin tape imprint implement 53) each comprising a delivery section (Figure 1, supply reels 7a and 7b) for delivering a transfer tape (Figure 1, tape 10) with a film on a substrate tape, a transfer head (Figure 1, heads 9a and 9b) for pressing the transfer tape against a film-transferred surface to transfer the film, and a windup section (Figure 1, empty tape reels 8a and 8b) for winding up the transfer tape after transfer, wherein the films from the transfer tapes of the plurality of sets can be selectively transferred to the film-transferred surface.

As to Claim 2, Kin et al. disclose a film transfer device further comprising a main body (Figure 5, twin tape implement 53) containing the plurality of film transfer sets wherein the transfer heads (Figure 1, heads 9a and 9b) of the film transfer sets are arranged at respective ends of the main body.

As to Claim 3, Kin et al. disclose a film transfer device wherein the plurality of film transfer sets are arranged side by side substantially along an imaginary line joining the opposite ends of the main body together (see Figure 1).

As to Claim 6, Kin et al. disclose a film transfer device wherein the plurality of film transfer sets are arranged side by side along a direction perpendicular to an imaginary line joining the opposite ends of the film transfer main body together (see Figure 1).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kin et al. (JP 2003-136896) in view of Koreska (US 6,321,816). Kin et al. disclose a film transfer device comprising a plurality of film transfer sets (Figure 5, twin tape imprint implement 53) each comprising a delivery section (Figure 1, supply reels 7a and 7b) for delivering a transfer tape (Figure 1, tape 10) with a film on a substrate tape, a transfer head (Figure 1, heads 9a and 9b) for pressing the transfer tape against a film-transferred surface to transfer the film, and a windup section (Figure 1, empty tape reels 8a and 8b) for winding up the transfer tape after transfer, wherein the films from the transfer tapes of the plurality of sets can be selectively transferred to the film-transferred surface.

As to Claim 2, Kin et al. disclose a film transfer device further comprising a main body (Figure 5, twin tape implement 53) containing the plurality of film transfer sets wherein the transfer heads (Figure 1, heads 9a and 9b) of the film transfer sets are arranged at respective ends of the main body.

As to Claim 3, Kin et al. disclose a film transfer device wherein the plurality of film transfer sets are arranged side by side substantially along an imaginary line joining the opposite ends of the main body together (see Figure 1).

As to Claim 4, Kin et al. do not disclose a film transfer device wherein the plurality of film transfer sets are disposed so as to overlap each other in a direction perpendicular to an imaginary line joining the opposite ends of the main body together. It is well known and conventional in the film transfer tool art, as disclosed by Koreska (Figure 2, feed reel 4, take-up reel 5; column 2, line 66 through column 3, line 1), to overlap the reels of a film transfer device in a direction perpendicular to an imaginary line joining the opposite ends of the film transfer device main body together to provide a more compact coating tool. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the plurality of film transfer sets of the Kin et al. to overlap each other in a direction perpendicular to an imaginary line joining the opposite ends of the main body together as suggested by Koreska to provide the film transfer device with a more compact design.

As to Claim 5, the references as combined (see Kin et al.) disclose a film transfer device wherein the plurality of film transfer sets comprise at least one reel, and the film transfer sets are arranged so that reels of the different film transfer sets are adjacent to each other (Figure 1, supply reels 7a and 7b, empty tape reels 8a and 8b).

As to Claim 6, Kin et al. disclose a film transfer device wherein the plurality of film transfer sets are arranged side by side along a direction perpendicular to an imaginary line joining the opposite ends of the film transfer main body together (see Figure 1).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl N Hawkins whose telephone number is (571) 272-1229. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A Fiorilla can be reached on (517) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheryl N. Hawkins  
November 8, 2004



**CHRIS FIORILLA**  
**SUPERVISORY PATENT EXAMINER**

*AU 1734*